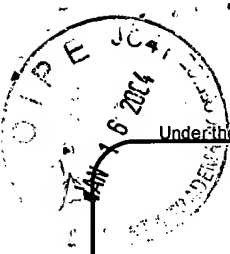


2684



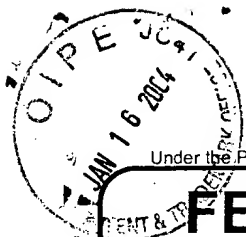
| | | | |
|---|----------------------|------------------------|--|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/412,699 | RECEIVED JAN 22 2004 Technology Center 2600 |
| | Filing Date | 10/05/1999 | |
| | First Named Inventor | Ira A. Gerson | |
| | Art Unit | 2684 | |
| | Examiner Name | Philip Sobotka | |
| Total Number of Pages in This Submission | 31 | Attorney Docket Number | 07941.0009.NPUS00 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks Errata Regarding Paper No. 21 dated October 16, 2003 and return receipt postcard. | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Michael K. Lindsey, Esq. HOWREY SIMON ARNOLD & WHITE, LLP | |
| Signature | <i>Mike Lindsey</i> | |
| Date | January 13, 2004 | |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | |
| Typed or printed name | Michael K. Lindsey, Esq. - Reg. No. 39,278 |
| Signature | <i>Mike Lindsey</i> |
| Date | January 13, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
55.00

Complete if Known

Application Number 09/412,699
Filing Date 10/05/1999
First Named Inventor Ira A. Gerson
Examiner Name Philip Sobutka
Art Unit 2684
Attorney Docket No. 07942.0009.NPUS00

RECEIVED

JAN 22 2004

Technology Center 2600

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

08-3038

Howrey Simon Arnold & Whi

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)
-0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | |
| Multiple Dependent | -3** = | X | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)
-0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | \$55.00 |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
\$55.00

SUBMITTED BY

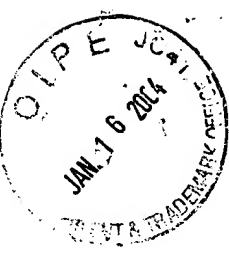
(Complete if applicable)

| | | | | | |
|-------------------|-------------------|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Michael K. Linsey | Registration No. (Attorney/Agent) | 39,278 | Telephone | 312 595-1239 |
| Signature | | Date | January 13, 2004 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF FIRST CLASS MAILING

DATE OF DEPOSIT January 13, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service as First Class Mail on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mike L. Guy
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|---------------------------------|
| In re Application of: | § | |
| | § | |
| Gerson, Ira A. | § | Group Art Unit: 2684 |
| | § | |
| Serial No.: 09/412,699 | § | Examiner: Sobutka, Philip |
| | § | |
| Filed: October 5, 1999 | § | |
| | § | Att'y Docket: 07942.0009.NPUS00 |
| | § | |
| For: Speech Recognition Technique Based | § | |
| On Local Interrupt Detection | § | |

ERRATA REGARDING PAPER No. 21 DATED OCTOBER 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Please enter this Errata into the record for clarification. On September 15, 2003, Applicant submitted a Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b). The Office of Petitions granted Applicant's petition and notified Applicant through an October 16, 2003 Correspondence, Paper No. 21. (Ex. 1). Applicant thanks the Office of Petitions for granting the Petition for Revival.

The October 16, 2003 Correspondence contains some factual errors. Specifically, the October 16, 2003 Correspondence states in error:

That the above-identified application became abandoned for failure to reply in a timely manner to the non-final Office Action mailed on

September 15, 2003; that no extensions of time under 37 C.F.R. 1.136 had been filed, and thus, the application became abandoned on December 16, 2003.

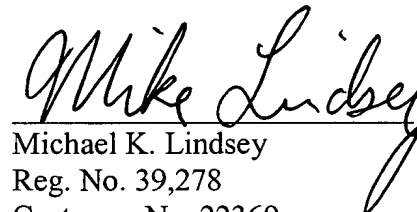
This is incorrect. Applicant writes to inform the Examiner of the errors only to prevent confusion after the issuance of the application. In contrast to the October 16, 2003 Correspondence:

- 1) The above-identified application became abandoned on March 11, 2003 for failure to reply in a timely manner to the final Office Action mailed on September 10, 2002.
- 2) Applicant filed a Continued Prosecution Application on March 11, 2003, authorizing any additional fees due to be charged to Deposit Account No. 08-3038.

If the Examiner believes any additional information is necessary, the Office is invited to call the undersigned attorney at (312) 595-1239.

Respectfully submitted,

Dated: January 13, 2004


Michael K. Lindsey
Reg. No. 39,278
Customer No. 22369
Attorney For Applicant,
FastMobile, Inc.

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